

### **REMARKS**

Reconsideration of the present application is respectfully requested in view of the following remarks. Prior to entry of this response, Claims 1, 4, 6-8, 12-13, and 15-18 were pending in the application, of which Claims 1, 8, and 17 are independent. In the Office Action dated November 14, 2008, Claims 1, 4, 6-8, 12-13, and 15-18 were rejected under 35 U.S.C. § 103(a). Following this response, Claims 1, 4, 6-8, 12-13, and 15-18 remain in this application with new Claims 21-29 being added by this Amendment. Applicant hereby addresses the Examiner's rejections in turn.

#### **I. Interview Summary**

Applicants thank Examiners Anwari for the courtesy of a telephone interview on January 27, 2009, requested by the undersigned to discuss the rejection of the current claims under 35 U.S.C. § 103. During the interview, Applicants asserted that the cited references do not render obvious the claims as currently amended. In agreement, the Examiner stated that the claims overcome the cited references, but that an updated search would be necessary. No patentability agreement was reached.

#### **II. Rejection of Claims 1-20 Under 35 U.S.C. § 103(a)**

In the Office Action dated November 14, 2008, Claims 1, 4, 6-8, 12-13, and 15-18 were rejected under 35 U.S.C. 103(a) as being unpatentable over Syroid & Leuf, "Outlook 2000 in a Nutshell," 2000 ("Syroid") in view of U.S. Patent No. 7,164,422

("Wholey"). Claims 1, 8, and 17 have been amended, and Applicants respectfully submit that the amendments overcome this rejection and add no new matter.

Amended Claim 1 is patentably distinguishable over the cited art for at least the reason that it recites, for example, "the listing of the at least one electronic message identifying at least one of the following: a sender of the at least one electronic message, a time the at least one electronic message was received, and a subject of the at least one electronic mail message." Amended Claims 8 and 17 each includes a similar recitation. Support for these amendments can be found in the specification at least on page 9, lines 1-8.

In contrast, *Syroid* at least does not disclose a listing identifying at least one email message that has satisfied at least one condition associated with an email handling rule. For example, *Syroid* discloses a rules wizard command opening dialog box. (See page 4 and Figure 6-14.) In *Syroid*, defined rules are displayed in the dialog box's upper pane. (See page 4 and Figure 6-14.) Furthermore, a 'Rule Description' segment in *Syroid*'s dialog box details a rule's functionality and conditions that trigger the rule. (See page 4 and Figure 6-14.) However, nowhere does *Syroid* disclose a listing identifying at least one email message that has satisfied at least one condition associated with an email handling rule. Rather, *Syroid* merely discloses a dialog box listing rules and conditions and fails to disclose a listing identifying at least one email message that has satisfied an associated condition.

Furthermore, *Wholey* does not overcome *Syroid*'s deficiencies. For example, *Wholey* merely discloses that, when creating or editing a runtime parameter, a developer may specify a prompt for each parameter and conditions for displaying the

prompt. (See col. 2, lines 34-37.) If *Wholey*'s conditions are met, a graphical user interface is presented. (See col. 2, lines 38-40.) Like *Syroid*, nowhere does *Wholey* disclose a listing identifying at least one email message that has satisfied at least one condition associated with an email handling rule. Rather, *Wholey* merely discloses providing a user interface upon condition satisfaction and fails to disclose a listing identifying at least one email message that has satisfied an associated condition.

Combining *Syroid* with *Wholey* would not have led to the claimed subject matter because *Syroid* and *Wholey*, either individually or in any reasonable combination, at least do not disclose "the listing of the at least one electronic message identifying at least one of the following: a sender of the at least one electronic message, a time the at least one electronic message was received, and a subject of the at least one electronic mail message," as recited by amended Claim 1. Amended Claims 8 and 17 each includes a similar recitation. Accordingly, independent Claims 1, 8, and 17 each patentably distinguishes the present invention over the cited references, and Applicants respectfully request withdrawal of this rejection of Claims 1, 8, and 17.

Dependent Claims 4, 6-7, 12-13, 15-16, and 18 are also allowable at least for the reasons described above regarding independent Claims 1, 8, and 17, and by virtue of their respective dependencies upon independent Claims 1, 8, and 17. Accordingly, Applicants respectfully request withdrawal of this rejection of dependent Claims 4, 6-7, 12-13, 15-16, and 18.

### III. New Claims

Claims 21-29 have been added to more distinctly define and to round out the protection for the invention to which Applicants are entitled. Applicants respectfully submit that these claims are allowable over the cited art and that they add no new matter.

### IV. Conclusion

In view of the foregoing, Applicants respectfully submit that the pending claims, as amended, are patentable over the cited references. The preceding arguments are based only on the arguments in the Official Action, and therefore do not address patentable aspects of the invention that were not addressed by the Examiner in the Official Action. The claims may include other elements that are not shown, taught, or suggested by the cited art. Accordingly, the preceding argument in favor of patentability is advanced without prejudice to other bases of patentability. Furthermore, the Office Action contains a number of statements reflecting characterizations of the related art and the claims. Regardless of whether any such statement is identified herein, Applicants decline to automatically subscribe to any statement or characterization in the Office Action.

Please grant any extensions of time required to enter this response and charge any additional required fees to our deposit account 13-2725.

Respectfully submitted,  
MERCHANT & GOULD P.C.

P.O. Box 2903  
Minneapolis, MN 55402-0903  
404.954.5066

/D. Kent Stier/

Date: January 30, 2009

---

D. Kent Stier  
Reg. No. 50,640

DKS:mdc

**27488**

PATENT TRADEMARK OFFICE